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Application Serial No. 09/344,863

PATENT APPLICATION
Attorney Docket No. 99006-US-NP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Edward L. Schlueter, Jr. et al.
Application No.: 09/344,863
Filed: June 28, 1999
Examiner: S. Hon
Art Unit: 1772
Title: **POLYTHIOPHENE XEROGRAPHIC
COMPONENT COATINGS**

Mail Stop Amendments
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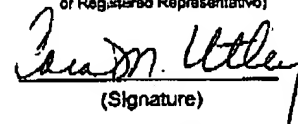
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April 25, 2005

Cora M. Utley

(Name of applicant, assignee,
or Registered Representative)


(Signature)

April 25, 2005

LETTER TO EXAMINER

Applicants wish to thank Examiner Hon and Examiner Pyon for the three telephonic interviews on April 20, 2005. Telephonic Interviews are normally prohibited after an Appeal Brief is filed (MPEP 713.05). An Appeal Brief was filed in this case on January 16, 2002.

Applicants respectfully request that the Examiner enter an Interview Summary Record of the three interviews of April 20, 2005, under 37 C.F.R. §1.2 and MPEP 713.04, summarizing and documenting the subject matter of the interviews. Because the interviews were initiated through the Examiner and the Supervisor, Applicants attorney cannot fill out an Applicant Interview Summary Record.

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Applicants wish to make of record that Supervisor Pyon requested through Examiner Hon that claim 26 be amended to change the word "coating" to --coating layer--. Applicants point out that Supervisor Pyon stated that the term "coating" is a process term. Applicants respectfully submit that the claim is definite as written, and complies with the requirements of 35 U.S.C. §112. Applicants further respectfully submit that the phrase "coating layer" is redundant.

Applicants further wish to make of record that Supervisor Pyon suggested through Examiner Hon that claim 26 [sic 27] be amended to recite that the heating member is connected to the fuser component. Applicants point out that in some embodiments, the heating member is not connected to the fuser component. Therefore, Applicants respectfully submit that the claim, as written, is definite and complies with the requirements of 35 U.S.C. §112.

Applicants would also like to point out that Interview Summary Records were never sent documenting the interviews of March 12, 2003, March 17, 2003, and March 25, 2003. In addition, another telephonic interview was held on March 26, 2003. Applicants respectfully request that the Examiner enter Interview Summary Records for these interviews. Applicants document these interviews as follows.

March 12, 2003: During this telephonic interview, Examiner Hon stated that Supervisor Pyon suggested that the claims be amended by replacing "xerographic component" with --image forming apparatus-- and asked for other minor amendments to the claims. Applicants filed an amendment on March 12, 2003, making this amendment to the claims.

March 17, 2003: During this telephonic interview, Examiner Hon stated that Supervisor Pyon requested that claim 26 be amended by replacing the word "comprise" with --comprises-- and that all the claims be amended by replace "image forming apparatus" with -- xerographic fuser component --. Examiner Hon requested Applicants submit a separate amendment making this new change, in addition to the one above. Applicants filed an amendment on March 17, 2003, making these amendments.

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March 25, 2003: Applicants point out that during this telephonic interview, Examiner Hon stated that Supervisor Pyon requested that claims 24 and 26 be amended by replacing "comprising" with --consisting essentially of--. Examiner Hon requested that this Amendment be made by a new amendment, incorporating therein all the previous amendments agreed upon by recent telephonic interviews. Applicants filed an amendment on March 25, 2003, making this amendment.

March 26, 2003: Applicants would like to make of record that there was a telephonic interview held with Examiner Hon suggesting that Supervisor Pyon requested there be further amendments made to the claims. Applicants had already prepared and filed three amendments within a time period of three weeks, costing Applicants significant attorney time and expense. Therefore, Applicants were not convinced that making additional changes to the claims would pass the case to allowance. Applicants were concerned that the telephonic interviews would continue, wherein Supervisor Pyon would continue to request through Examiner Hon, further minor amendments to the claims.

Applicants did not hear from the United States Patent and Trademark Office regarding this application for over one year. On April 12, 2004, Applicants submitted a Status Inquiry Letter. Over three months after the Status Inquiry Letter was sent, an Office Action was mailed on July 14, 2004.

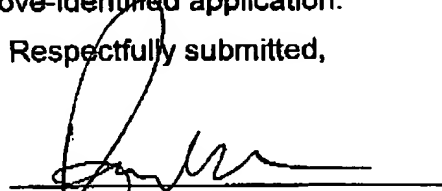
Applicants point out that they have filed at least eleven amendments in the present application, along with an Appeal Brief, and several other papers with the United States Patent and Trademark Office regarding the above-identified application. Applicants would like to request that the prosecution on the present case be advanced, and Applicants request that if the Examiner and the Examiner's Supervisor do not feel that the present claims are in condition for allowance, that the Examiner issue an Office Action in the case pointing out the rejection to the present claims. Otherwise, Applicants request that the case be passed to allowance.

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Despite Applicants' written request in the Status Inquiry Letter dated April 12, 2004 that all correspondence in the case be put in writing in order to preserve the record for the above-identified application, the Examiner called Applicants Attorney on April 19, 2005, and again on April 20, 2005. The Supervisor then called Applicants' attorney for a conference call with the Examiner also on April 20, 2005. The Supervisor agreed to allow the case during this April 20, 2005 conference call. However, the Supervisor then called Applicants' Attorney again without the presence of the Examiner on April 20, 2005, and tried to convince Applicants to make the proposed non-substantive changes to the claims, despite having earlier agreed to allow the case. This was a total of at least 3 calls from United States Patent and Trademark Office representatives on April 20, 2005, despite Applicants Attorney's continued requests that the Examiner either enter an Office Action or allow the case, and also to put everything in writing in order to preserve the record, and despite the MPEP rules that telephone interviews not proceed after the filing of an Appeal Brief. Applicants Attorney respectfully submits that the phone calls have been excessive and that the suggestions for changes to the claims have been piece-meal.

Applicants again respectfully request that all correspondence regarding this matter be put in writing, and respectfully request the appropriate Interview Summary Records for all past interviews be prepared and sent to Applicants by the Examiner. Applicants look forward to receipt of Interview Summary Records from the United States Patent and Trademark Office regarding the above-identified application.

Respectfully submitted,


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